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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/534,592	03/27/2000	Rabindranath Dutta	AUS000003US1	4528
45502	7590	03/23/2006	EXAMINER	
DILLON & YUDELL LLP 8911 N. CAPITAL OF TEXAS HWY., SUITE 2110 AUSTIN, TX 78759			NGUYEN, THU HA T	
			ART UNIT	PAPER NUMBER
			2155	

DATE MAILED: 03/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/534,592	DUTTA, RABINDRANATH	
	Examiner	Art Unit	
	Thu Ha T. Nguyen	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01/03/06.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other:

DETAILED ACTION

1. Claims **1-24** are presented for examination.
2. Claims 1, and 9-17 are currently amended.

Response to Arguments

3. Applicant's arguments filed January 03, 2006 have been fully considered but they are not persuasive because of the following reasons:

4. Applicant argues that neither Buckland nor Brendel teach or suggest the determining step is based on the recency of a time stamp contained within a client's request to receive a file from a content server. In response to applicant's argument, the examiner asserts that this argument has been considered but is moot in view of the new ground(s) of rejection.

5. Applicant argues that Buckland does not teach or suggest the feature of "responsive to determining that the client's request to receive the file from the content server did not originate as the reference from one of the set consisting of the load distribution server and the content server, sending to the client a file requesting that the client contact the load distribution server".

In response to Applicant's argument, Examiner asserts that Buckland does teach determining that the client's request does not include a first cookie site (*i.e., a reference from content server*), and then sending to the client 206 a first message includes a relocated/redirected "find-user" command (*i.e., a file requesting*) to contact another server (the control site 207) [see Buckland, col. 6, lines, 25-50].

Buckland does implicitly teach sending a first message having a relocated/redirected command (i.e., a file requesting) to the client and instructing the client to contact another server (control network site 207). However, Buckland does not specially disclose a load distribution server.

Brendel, in the related prior art, teaches a load balancer 70 in the server 56 (figure 8, col. 10, lines 38-53) wherein the load balancer receives, keeps track, assigns and delivers all incoming requests from client to the assigned servers. Load balancer also attempts to balance the load of request among servers (figure 6, col. 9, lines 19-40). One of ordinary skill in the Data Processing art would have motivation to modify server (56) having load balancer (70), as disclosed by Brendel, into control network site (207), as disclosed by Buckland to have a load distribution server that controls the overload of traffic because it would provide an efficient communications system that improve to avoid data bottleneck and reduce traffic load between servers (see Brendel, col. 5, lines 55-col. 6, lines 5, col. 19, lines 55-63).

6. Applicant argues that the updating bookmark of claim 4 does not teach or suggest in references cited. In response to applicant's argument, examiner submits that Nielsen teaches the feature of sending an email notification to inform client updating a bookmark file when there is a sufficient changes to a web page as shown in figure 3, col. 9, lines 14-60, col. 12, line 15-col. 13, line 61.

7. As a result, cited prior arts do disclose a system and method of preventing a client from directly contacting a server that is protected by a load distribution server from an overload of traffic, as broadly claimed by the Applicant. Applicant clearly has

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still failed to identify specific claim limitations that would define a clearly patentable distinction over prior arts.

8. Therefore, the examiner asserts that cited prior arts teach or suggest the subject matter broadly recited in independent claims 1, 9, and 17. Claims 2-8, 10-16 and 18-24 are also rejected at least by virtue of their dependency on independent claims and by other reasons set forth in this office action. Accordingly, claims 1-24 are rejected as below.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-3, 7, 9-11, 15, 17-19 and 23 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Buckland** U.S. Patent No. **5,999,971**, and **Brendel et al.**, (hereinafter **Brendel**) U.S. Patent No. **5,774,660**, further in view of **Gupta et al.** (hereinafter **Gupta**) U.S. Patent No. **6,226,752**.

11. As to claim 1, **Buckland** teaches the invention substantially as claimed, comprising a method of:

determining whether a client's request to receive a file from a content server originated as a reference from one of a set consisting of the load distribution server and from the content server (abstract, figures 2, 3, col. 2, lines 15-32, col. 6, lines 1-24 [a client 206 sends a request to the first network site 200 (*i.e.*, *content server*) in step 300. Then, the process continues to step 302 to determine if the request includes a first cookie site/first site data block from the first network site 200, wherein as is well-known in the art that the cookie may be included in the request by the client browser 210, if the client browser 210 had accessed the first network site 200 at some earlier time (*i.e.*, *determine whether the request originated as a reference from content server*) [see Buckland, figure 3, col. 6, lines 5-15]); and

responsive to determining that the client's request to receive the file from the content server did not originate as the reference from one of the set consisting of the load distribution server and from the content server, sending to the client a file requesting that the client contact control network site (abstract, figures 2-3, col. 6, lines 25-37 [determining that the client's request does not include a first cookie site/first site data block (*i.e.*, *a reference from content server*), then sending to the client 206 a first message includes a "find-user" command (*i.e.*, *a file requesting*) to contact another server (the control site 207) [see Buckland, col. 6, lines, 25-50]]).

Buckland teaches sending a first message having a relocated/redirection command (*i.e.*, a file requesting) to the client and instructing the client to contact control network site (control network site 207) [see Buckland col. 6, lines 25-50].

However, **Buckland** does not specifically teach a load distribution server and protecting a server from an overload of traffic and a feature of determining step is based on the recency of a time stamp contained within a client's request to receive a file from a content server.

Brendel, in the related prior art, teaches a load balancer 70 in the server 56 (figure 8, col. 10, lines 38-53) wherein the load balancer receives, keeps track, assigns and delivers all incoming requests from client to the assigned servers. Load balancer also attempts to balance the load of request among servers (figure 6, col. 9, lines 19-40). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to incorporate server (56) having load balancer (70), as disclosed by **Brendel**, into control network site (207), as disclosed by **Buckland** to have a load distribution server that controls the overload of traffic because it would provide an efficient communications system to avoid data bottleneck, and to provide efficient performing load-balancing among servers and highly fault-tolerant web site (see **Brendel**, col. 5, lines 55-col. 6, lines 5, col. 19, lines 55-63).

Gupta, in the related art, teaches determining step is based on the recency of a time stamp contained within a client's request to receive a file from a content server (col. 5, line 43-col. 6, line 20, col. 11, line 46-col. 12, line 24, col. 13, line 65-col. 14, line 11 –*the browser sends a request associated with cookie containing time stamp*). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to incorporate the feature of determining, based on the recency of a time stamp contained within a client's request to receive a file from a

content server, as disclosed by **Brendel**, into **Buckland-Brendel** system because it would have provided a new authentication mechanism for the security purpose by authorizing the cookie expiration time (see Gupta col. 11, line 46-col. 12, line 24).

12. As to claim 2, **Buckland** teaches the invention substantially as claimed in claim 1, further comprising: responsive to determining that the request to receive the file from the content server did originate as the reference from one of the set consisting of the load distribution server and from the content server, sending to the client the file requested (figure 3, elements 300, 302, 304, 318-320, col. 6, lines 16-24, col. 8, lines 1-40 *—determining if the request access containing first site cookie (i.e., as a reference from content server) from the first network site, then providing the client the web page (i.e., file requested) to which the client initially request access*).

13. As to claim 3, **Buckland** teaches the invention substantially as claimed in claim 1, further comprising: including in the file requesting that the client contact the control network site a means by which the client may directly contact the control network site through an initiative of a user of the client (col. 6, lines 25-67 *—the client 206 interacts with control network site 207*). However, **Buckland-Gupta** does not explicitly teach the client directly contacts with the load distribution server. **Brendel**, in the related art, teaches the client directly sends request to load balancer or in the other word the load balancer receives all requests from clients and assigns the requests to a server (see Brendel abstract, col. 9, lines 18-40). It would have been obvious to one of

ordinary skill in the Data Processing art at the time of the invention was made to incorporate a server having a load balancer, as disclosed by **Brendel**, into the system of **Buckland-Gupta** to have a load distribution server that controls the traffic between clients and servers because it would provide an efficient communications system to avoid data bottleneck and to provide efficient performing load-balancing among servers and highly fault-tolerant web site (see Brendel, col. 5, lines 55-col. 6, lines 5, col. 19, lines 55-63).

14. As to claim 7, **Buckland** teaches the invention substantially as claimed, further comprising: including in the file requesting that the client contact the load distribution server a means by which the client will contact the load distribution server without intervention of the user (col. 6, lines 38-67, *col. 8, lines 58-65 – a redirect command (i.e. file requesting) automatically sends to browser and instructs control network site (207) to process the command and sends it to network site (200, 202, 204)*)).

15. As to claim 9, **Buckland** teaches the invention substantially as claimed, including a machine-readable medium having a plurality of instructions processable by a machine embodied therein, wherein said plurality of instructions, when processed by said machine, causes said machine to perform a method for preventing a client from directly contacting a server, said method comprising:

determining whether a client's request to receive a file from a content server originated as a reference from one of a set consisting of the load distribution server and from the content server (abstract, figure 2, col. 2, lines 15-32, col. 6, lines 1-24 [a client 206 sends a request to the first network site 200 (*i.e., content server*) in step 300. Then, the process continues to step 302 to determine if the request includes a first site cookie/first network site data block (*i.e., as a reference originated from content server at some earlier time*) from the first network site 200, wherein as is well-known in the art that the cookie may be included in the request by the client browser 210, if the client browser 210 had accessed the first network site 200 at some earlier time (*i.e., determine whether the request originated as a reference from content server*) (see Buckland, figure 3, col. 6, lines 5-15)]; and

responsive to determining that the client's request to receive the file from the content server did not originate as the reference from one of the set consisting of the load distribution server and from the content server, sending to the client a file requesting that the client contact the control network site (abstract, figures 2-3; col. 6, lines 25-37 [Buckland does teach determining that the client's request does not include a first site cookie/first network site data block (*i.e., as a reference from content server*), then sending to the client 206 a first message includes a relocated/redirected "find-user" command (*i.e., a file requesting*) to contact another server (the control site 207) (see Buckland, col. 6, lines, 25-50)].

Buckland teaches sending a first message having a relocated/redirection command (i.e., a file requesting) to the client and instructing the client to contact control network site (control network site 207) [see Buckland col. 6, lines 25-50].

However, **Buckland** does not specifically teach a load distribution server and protecting a server from an overload of traffic and a feature of determining, based on the recency of a time stamp contained within a client's request to receive a file from a content server.

Brendel, in the related prior art, teaches a load balancer 70 in the server 56 (figure 8, col. 10, lines 38-53) wherein the load balancer receives, keeps track, assigns and delivers all incoming requests from client to the assigned servers. Load balancer also attempts to balance the load of request among servers (figure 6, col. 9, lines 19-40). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to incorporate a server (56) having load balancer (70), as disclosed by **Brendel**, into control network site (207), as disclosed by **Buckland** to have a load distribution server that controls the overload of traffic because it would provide an efficient communications system to avoid data bottleneck, and to provide efficient performing load-balancing among servers and highly fault-tolerant web site (see Brendel, col. 5, lines 55-col. 6, lines 5, col. 19, lines 55-63).

Gupta, in the related art, teaches determining step is based on the recency of a time stamp contained within a client's request to receive a file from a content server (col. 5, line 43-col. 6, line 20, col. 11, line 46-col. 12, line 24, col. 13, line 65-col. 14, line 11 –*the browser sends a request associated with cookie containing time stamp*). It

would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to incorporate the feature of determining, based on the recency of a time stamp contained within a client's request to receive a file from a content server, as disclosed by **Brendel**, into **Buckland-Brendel** system because it would have provided a new authentication mechanism for the security purpose by authorizing the cookie expiration time (see Gupta col. 11, line 46-col. 12, line 24).

16. As to claim 10, **Buckland** teaches the invention substantially as claimed in claim 9, said method further comprising: instruction for, responsive to determining that the request to receive the file from the content server did originate as the reference from one of the set consisting of the load distribution server and from the content server, sending to the client the file requested (figure 3, elements 300, 302, 304, 318-320, col. 6, lines 16-24, col. 8, lines 1-40 –*determining if the request access containing first site cookie (i.e., as a reference from content server) from the first network site, then providing the client the web page (i.e., file requested) to which the client initially request access*).

17. As to claim 11, **Buckland** teaches the invention substantially as claimed in claim 9, said method further comprising: instruction for including in the file requesting that the client contact the control network site a means by which the client may directly contact the control network site through an initiative of a user of the client (col. 6, lines 25-67 –*the client 206 interacts with control network site 207*).

However, **Buckland-Gupta** does not explicitly teach the client directly contacts with the load distribution server.

Brendel, in the related art, teaches the client directly sends request to load balancer or in the other word the load balancer receives all requests from clients and assigns the requests to a server (see Brendel abstract, col. 9, lines 18-40).

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to incorporate a server having a load balancer, as disclosed by **Brendel**, into the system of **Buckland-Gupta** to have a load distribution server that controls the traffic between clients and servers because it would provide an efficient communications system to avoid data bottleneck and to provide efficient performing load-balancing among servers and highly fault-tolerant web site (see Brendel, col. 5, lines 55-col. 6, lines 5, col. 19, lines 55-63).

18. As to claim 15, **Buckland** teaches the invention substantially as claimed in claim 9, said method further comprising: instruction for including in the file requesting that the client contact the load distribution server a means by which the client will contact the load distribution server without intervention of the user (col. 6, lines 38-67, col. 8, lines 58-65 – *a redirect command (i.e. file requesting) automatically sends to browser and instructs control network site (207) to process the command and sends it to network site (200, 202, 204).*).

19. As to claim 17, **Buckland** teaches the invention substantially as claimed, including a system comprising:

means for determining whether a client's request to receive a file from a content server originated as a reference from one of a set consisting of the load distribution server and from the content server (abstract, figure 2, col. 2, lines 15-32, col. 6, lines 1-24 [a client 206 sends a request access to the first network site 200 (*i.e., content server*) in step 300. Then, the process continues to step 302 to determine if the request includes a first site cookie/first network site data block (*i.e., as a reference from content server at some earlier time*) from the first network site 200, wherein as is well-known in the art that the cookie may be included in the request by the client browser 210, if the client browser 210 had accessed the first network site 200 at some earlier time (*i.e., determine whether the request originated as a reference from content server*) (see Buckland, figure 3, col. 6, lines 5-15));

means for, responsive to determining that the client's request to receive the file from the content server did not originate as the reference from one of the set consisting of the load distribution server and from the content server, sending to the client a file requesting that the client contact the control network site (abstract, figures 2-3, col. 6, lines 25-37 [Buckland does teach determining that the client's request does not include a first cookie site (*i.e., a reference from content server*), then sending to the client 206 a first message includes a relocated/redirected "find-user" command (*i.e., a file requesting*) to contact another server (the control site 207) (see Buckland, col. 6, lines, 25-50)]).

Buckland teaches sending a first message having a relocated/redirected command (i.e., a file requesting) to the client and instructing the client to contact control network site (control network site 207) [see Buckland col. 6, lines 25-50].

However, **Buckland** does not specifically teach a load distribution server and protecting a server from an overload of traffic and a feature of determining, based on the recency of a time stamp contained within a client's request to receive a file from a content server.

Brendel, in the related prior art, teaches a load balancer 70 in the server 56 (figure 8, col. 10, lines 38-53) wherein the load balancer receives, keeps track, assigns and delivers all incoming requests from client to the assigned servers. Load balancer also attempts to balance the load of request among servers (figure 6, col. 9, lines 19-40). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to incorporate a server (56) having load balancer (70), as disclosed by **Brendel**, into control network site (207), as disclosed by **Buckland** to have a load distribution server that controls the overload of traffic because it would provide an efficient communications system to avoid data bottleneck, and to provide efficient performing load-balancing among servers and highly fault-tolerant web site (see Brendel, col. 5, lines 55-col. 6, lines 5, col. 19, lines 55-63).

Gupta, in the related art, teaches determining step is based on the recency of a time stamp contained within a client's request to receive a file from a content server (col. 5, line 43-col. 6, line 20, col. 11, line 46-col. 12, line 24, col. 13, line 65-col. 14, line 11 –*the browser sends a request associated with cookie containing time stamp*). It

would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to incorporate the feature of determining, based on the recency of a time stamp contained within a client's request to receive a file from a content server, as disclosed by **Brendel**, into **Buckland-Brendel** system because it would have provided a new authentication mechanism for the security purpose by authorizing the cookie expiration time (see Gupta col. 11, line 46-col. 12, line 24).

20. As to claim 18, **Buckland** teaches the invention substantially as claimed in claim 17, further comprising: means for, responsive to determining that the request to receive the file from the content server did originate as the reference from one of the set consisting of the load distribution server and from the content server, sending to the client the file requested (figure 3, elements 300, 302, 304, 318-320, col. 6, lines 16-24, col. 8, lines 1-40 *—determining if the request access containing first site cookie (i.e., as a reference from content server) from the first network site, then providing the client the web page (i.e., file requested) to which the client initially request access*).

21. As to claim 19, **Buckland** teaches the invention substantially as claimed in claim 17, further comprising: means: included in the file requesting that the client contact the control network site a means by which the client may directly contact the control network site through an initiative of a user of the client (col. 6, lines 25-67 *—the client 206 interacts with control network site 207*).

However, **Buckland-Gupta** does not explicitly teach the client directly contacts with the load distribution server.

Brendel, in the related art, teaches the client directly sends request to load balancer or in the other word the load balancer receives all requests from clients and assigns the requests to a server (see Brendel abstract, col. 9, lines 18-40).

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to incorporate a server having a load balancer, as disclosed by **Brendel**, into the system of **Buckland-Gupta** to have a load distribution server that controls the traffic between clients and servers because it would provide an efficient communications system to avoid data bottleneck and to provide efficient performing load-balancing among servers and highly fault-tolerant web site (see Brendel, col. 5, lines 55-col. 6, lines 5, col. 19, lines 55-63).

22. As to claim 23, **Buckland** teaches the invention substantially as claimed in claim 17, further comprising: means, included in the file requesting that the client contact the load distribution server a means by which the client will contact the load distribution server without intervention of the user (col. 6, lines 38-67, col. 8, lines 58-65 – *a redirect command (i.e. file requesting) automatically sends to browser and instructs control network site (207) to process the command and sends it to network site (200, 202, 204)*)).

23. Claims 4-6, 12-14, and 20-22 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Buckland** U.S. Patent No. **5,999,971**, **Brendel et al.**, (hereinafter **Brendel**) U.S. Patent No. **5,774,660**, and **Gupta et al.** (hereinafter **Gupta**) U.S. Patent No. **6,226,752**, further in view of **Nielsen** U.S. Patent No. **5,813,007**.

24. As to claim 4, **Buckland-Brendel-Gupta** system substantially teaches the feature of offering in the file requesting that the client contact the load distribution server as substantially claimed in claim 1, and also teaches when the client contacts the control network site, the control cookie site is dropped/stored and then the client has bookmarked the control network site (see **Buckland** col. 6, lines 51-67, col. 7, lines 29-43, col. 8, lines 41-57).

However, **Buckland-Brendel-Gupta** system does not explicitly teach a means to update a bookmark file.

Nielsen, in the related art, teaches the feature of sending an email notification to inform client updating a bookmark file when there is a sufficient changes to a web page (figure 3, col. 9, lines 14-60, col. 12, line 15-col. 13, line 61).

It would have been obvious to one skill in the art at the time of the invention was made to incorporate the feature of updating a bookmark file, as disclosed by **Nielsen** into the system of **Buckland-Brendel-Gupta** to include a means to update bookmark file because it were conventionally employed in the art to provide a useful and enhance system that monitor the sufficient changes of bookmarked information file/Web page so

that the user can be notified and update bookmark of the changed information file/Web page (see Nielsen col. 1, lines 6-14, col. col. 4, lines 12-39).

25. As to claim 5, **Buckland-Brendel-Gupta** system substantially teaches the feature of offering in the file requesting that the client contact the load distribution server as substantially claimed in claim 4, and also teaches when the client contacts the control network site, the control cookie site is dropped/stored and then the client has bookmarked the control network site (see Buckland col. 6, lines 51-67, col. 7, lines 29-43, col. 8, lines 41-57).

However, **Buckland-Brendel-Gupta** system does not explicitly teach a means to update a bookmark file to exclude the content server.

Nielsen, in the related art, teaches the feature of sending an email notification to inform client updating a bookmark file when there is a sufficient changes to a web page (figure 3, col. 9, lines 14-60, col. 12, line 15-col. 13, line 61). While the client updates the bookmark file of the changed of information file/web page, it is obvious that the previous bookmarked information file/web page is excluded.

Therefore, it would have been obvious to one skill in the art at the time of the invention was made to incorporate the feature of updating a bookmark file, as disclosed by **Nielsen** into the system of **Buckland-Brendel-Gupta** to include a means to update bookmark file because it were conventionally employed in the art to provide a useful and enhance system that monitor the sufficient changes of bookmarked information

file/Web page so that the user can be notified and update bookmark of the changed information file/Web page (see Nielsen col. 1, lines 6-14, col. 4, lines 12-39).

26. As to claim 6, **Buckland-Brendel-Gupta** system substantially teaches the feature of offering in the file requesting that the client contact the load distribution server as substantially claimed in claim 4, and also teaches when the client contacts the control network site, the control cookie site is dropped/stored and then the client has bookmarked the control network site (see Buckland col. 6, lines 51-67, col. 7, lines 29-43, col. 8, lines 41-57).

However, **Buckland-Brendel-Gupta** system does not explicitly teach a means to update a bookmark file to include the load distribution server and exclude the content server.

Nielsen, in the related art, teaches the feature of sending an email notification to inform client updating a bookmark file when there is a sufficient changes to a web page (figure 3, col. 9, lines 14-60, col. 12, line 15-col. 13, line 61). While the client updates the bookmark file of the changed of information file/web page, it is obvious that the previous bookmarked information file/web page is excluded.

Therefore, it would have been obvious to one skill in the art at the time of the invention was made to incorporate the feature of updating a bookmark file, as disclosed by **Nielsen** into the system of **Buckland-Brendel-Gupta** to include a means to update bookmark file because it were conventionally employed in the art to provide a useful and enhance system that monitor the sufficient changes of bookmarked information

file/Web page so that the user can be notified and update bookmark of the changed information file/Web page (see Nielsen col. 1, lines 6-14, col. col. 4, lines 12-39).

27. As to claim 12, **Buckland-Brendel-Gupta** system substantially teaches the feature of offering in the file requesting that the client contact the load distribution server as substantially claimed in claim 9, and also teaches when the client contacts the control network site, the control cookie site is dropped/stored and then the client has bookmarked the control network site (see Buckland col. 6, lines 51-67, col. 7, lines 29-43, col. 8, lines 41-57).

However, **Buckland-Brendel-Gupta** system does not explicitly teach a means to update a bookmark file.

Nielsen, in the related art, teaches the feature of sending an email notification to inform client updating a bookmark file when there is a sufficient changes to a web page (figure 3, col. 9, lines 14-60, col. 12, line 15-col. 13, line 61).

It would have been obvious to one skill in the art at the time of the invention was made to incorporate the feature of updating a bookmark file, as disclosed by **Nielsen** into the system of **Buckland-Brendel-Gupta** to include a means to update bookmark file because it were conventionally employed in the art to provide a useful and enhance system that monitor the sufficient changes of bookmarked information file/Web page so that the user can be notified and update bookmark of the changed information file/Web page (see Nielsen col. 1, lines 6-14, col. col. 4, lines 12-39).

28. As to claim 13, **Buckland-Brendel-Gupta** system substantially teaches the feature of offering in the file requesting that the client contact the load distribution server as substantially claimed in claim 12, and also teaches when the client contacts the control network site, the control cookie site is dropped/stored and then the client has bookmarked the control network site (col. 6, lines 51-67, col. 7, lines 29-43, col. 8, lines 41-57).

However, **Buckland-Brendel-Gupta** system does not explicitly teach a means to update a bookmark file to exclude the content server.

Nielsen, in the related art, teaches the feature of sending an email notification to inform client updating a bookmark file when there is a sufficient changes to a web page (figure 3, col. 9, lines 14-60, col. 12, line 15-col. 13, line 61). While the client updates the bookmark file of the changed of information file/web page, it is obvious that the previous bookmarked information file/web page is excluded.

Therefore, it would have been obvious to one skill in the art at the time of the invention was made to incorporate the feature of updating a bookmark file, as disclosed by **Nielsen** into the system of **Buckland-Brendel-Gupta** to include a means to update bookmark file because it were conventionally employed in the art to provide a useful and enhance system that monitor the sufficient changes of bookmarked information file/Web page so that the user can be notified and update bookmark of the changed information file/Web page (see Nielsen col. 1, lines 6-14, col. col. 4, lines 12-39).

29. As to claim 14, **Buckland-Brendel-Gupta** system substantially teaches the feature of offering in the file requesting that the client contact the load distribution server as substantially claimed in claim 12, and also teaches when the client contacts the control network site, the control cookie site is dropped/stored and then the client has bookmarked the control network site (col. 6, lines 51-67, col. 7, lines 29-43, col. 8, lines 41-57).

However, **Buckland-Brendel-Gupta** system does not explicitly teach a means to update a bookmark file to include the load distribution server and exclude the content server.

Nielsen, in the related art, teaches the feature of sending an email notification to inform client updating a bookmark file when there is a sufficient changes to a web page (figure 3, col. 9, lines 14-60, col. 12, line 15-col. 13, line 61). While the client updates the bookmark file of the changed of information file/web page, it is obvious that the previous bookmarked information file/web page is excluded.

Therefore, it would have been obvious to one skill in the art at the time of the invention was made to incorporate the feature of updating a bookmark file, as disclosed by **Nielsen** into the system of **Buckland-Brendel-Gupta** to include a means to update bookmark file because it were conventionally employed in the art to provide a useful and enhance system that monitor the sufficient changes of bookmarked information file/Web page so that the user can be notified and update bookmark of the changed information file/Web page (see Nielsen col. 1, lines 6-14, col. col. 4, lines 12-39).

30. As to claim 20, **Buckland-Brendel-Gupta** system substantially teaches the feature of offering in the file requesting that the client contact the load distribution server as substantially claimed in claim 17, and also teaches when the client contacts the control network site, the control cookie site is dropped/stored and then the client has bookmarked the control network site (col. 6, lines 51-67, col. 7, lines 29-43, col. 8, lines 41-57).

However, **Buckland-Brendel-Gupta** system does not explicitly teach a means to update a bookmark file.

Nielsen, in the related art, teaches the feature of sending an email notification to inform client updating a bookmark file when there is a sufficient changes to a web page (figure 3, col. 9, lines 14-60, col. 12, line 15-col. 13, line 61).

It would have been obvious to one skill in the art at the time of the invention was made to incorporate the feature of updating a bookmark file, as disclosed by **Nielsen** into the system of **Buckland-Brendel-Gupta** to include a means to update bookmark file because it were conventionally employed in the art to provide a useful and enhance system that monitor the sufficient changes of bookmarked information file/Web page so that the user can be notified and update bookmark of the changed information file/Web page (see Nielsen col. 1, lines 6-14, col. col. 4, lines 12-39).

31. As to claim 21, **Buckland-Brendel-Gupta** system substantially teaches the feature of offering in the file requesting that the client contact the load distribution server as substantially claimed in claim 20, and also teaches when the client contacts

the control network site, the control cookie site is dropped/stored and then the client has bookmarked the control network site (col. 6, lines 51-67, col. 7, lines 29-43, col. 8, lines 41-57).

However, **Buckland-Brendel-Gupta** system does not explicitly teach a means to update a bookmark file to exclude the content server.

Nielsen, in the related art, teaches the feature of sending an email notification to inform client updating a bookmark file when there is a sufficient changes to a web page (figure 3, col. 9, lines 14-60, col. 12, line 15-col. 13, line 61). While the client updates the bookmark file of the changed of information file/web page, it is obvious that the previous bookmarked information file/web page is excluded.

Therefore, it would have been obvious to one skill in the art at the time of the invention was made to incorporate the feature of updating a bookmark file, as disclosed by **Nielsen** into the system of **Buckland-Brendel-Gupta** to include a means to update bookmark file because it were conventionally employed in the art to provide a useful and enhance system that monitor the sufficient changes of bookmarked information file/Web page so that the user can be notified and update bookmark of the changed information file/Web page (see Nielsen col. 1, lines 6-14, col. col. 4, lines 12-39).

32. As to claim 22, **Buckland-Brendel-Gupta** system substantially teaches the feature of offering in the file requesting that the client contact the load distribution server as substantially claimed in claim 20, and also teaches when the client contacts the control network site, the control cookie site is dropped/stored and then the client has

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bookmarked the control network site (col. 6, lines 51-67, col. 7, lines 29-43, col. 8, lines 41-57).

However, **Buckland-Brendel-Gupta** system does not explicitly teach a means to update a bookmark file to include the load distribution server and exclude the content server.

Nielsen, in the related art, teaches the feature of sending an email notification to inform client updating a bookmark file when there is a sufficient changes to a web page (figure 3, col. 9, lines 14-60, col. 12, line 15-col. 13, line 61). While the client updates the bookmark file of the changed of information file/web page, it is obvious that the previous bookmarked information file/web page is excluded.

Therefore, it would have been obvious to one skill in the art at the time of the invention was made to incorporate the feature of updating a bookmark file, as disclosed by **Nielsen** into the system of **Buckland-Brendel-Gupta** to include a means to update bookmark file because it were conventionally employed in the art to provide a useful and enhance system that monitor the sufficient changes of bookmarked information file/Web page so that the user can be notified and update bookmark of the changed information file/Web page (see Nielsen col. 1, lines 6-14, col. col. 4, lines 12-39).

33. Claims 8, 16 and 24 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Buckland** U.S. Patent No. 5,999,971, **Brendel et al.**, (hereinafter Brendel) U.S. Patent No. 5,774,660, and **Gupta et al.** (hereinafter Gupta) U.S. Patent

No. **6,226,752**, further in view of **Subramaniam et al.**, (hereinafter Subramaniam) U.S. Patent No. **6,081,900**.

34. As to claim 8, **Buckland-Brendel-Gupta** system teaches the invention substantially as claimed in claim 7, further comprising: including in the file requesting that the client contact the load distribution server without intervention of user (col. 6, lines 38-67, col. 8, lines 58-65 – *a redirect command (i.e. file requesting) automatically sends to browser and instructs control network site (207) to process the command and sends it to network site (200, 202, 204)*).

Buckland-Brendel-Gupta does not explicitly teach a means by which to allow the user of the client sufficient time to read and react to the file requesting that the user of the client contact the load distribution server.

However, **Subramaniam** teaches a redirect request sends from target server (104) through external client (112) to border server (106) and has conventional capabilities to automatically redirect client when a web site has moved/the URL for the web site has changed to another URL (col. 6, line 47-col. 7, line 58). It is obvious that the conventional redirect request/URL is used when a user experiences a redirect from one page to another by asking the user to click on a link or by means of automatic redirection. It may leave a page on server to notify user whoever access to that page that the name has changed or moved, thus, it has to give the user sufficient time to read and react with that notify.

Therefore, it were conventionally employed in the art to incorporate the feature of redirecting URL capability, as disclosed by **Subramaniam**, into system of **Buckland-Brendel-Gupta** because it would provide a system has capability to notify the redirecting/moving/changing of URLs for a web site thus the user can be notified and react to the change (i.e., update bookmark) if user desires to do so (see Subramaniam col. 7, lines 1-10 and also see REDIRECT dictionary definition at netlingo.com).

35. As to claim 16, **Buckland-Brendel-Gupta** system teaches the invention substantially as claimed in claim 15, further comprising: instruction for including in the file requesting that the client contact the load distribution server without intervention of user (col. 6, lines 38-67, *col. 8, lines 58-65 – a redirect command (i.e. file requesting) automatically sends to browser and instructs control network site (207) to process the command and sends it to network site (200, 202, 204)*).

Buckland-Brendel-Gupta does not explicitly teach a means by which to allow the user of the client sufficient time to read and react to the file requesting that the user of the client contact the load distribution server.

However, **Subramaniam** teaches a redirect request sends from target server (104) through external client (112) to border server (106) and has conventional capabilities to automatically redirect client when a web site has moved/the URL for the web site has changed to another URL (col. 6, line 47-col. 7, line 58). It is obvious that the conventional redirect request/URL is used when a user experiences a redirect from one page to another by asking the user to click on a link or by means of automatic

redirection. It may leave a page on server to notify user whoever access to that page that the name has changed or moved, thus, it has to give the user sufficient time to read and react with that notify.

Therefore, it were conventionally employed in the art to incorporate the feature of redirecting URL capability, as disclosed by **Subramaniam**, into system of **Buckland-Brendel-Gupta** because it would provide a system has capability to notify the redirecting/moving/changing of URLs for a web site thus the user can be notified and react to the change (i.e., update bookmark) if user desires to do so (see Subramaniam col. 7, lines 1-10 and also see REDIRECT dictionary definition at netlingo.com).

36. As to claim 24, **Buckland-Brendel-Gupta** system teaches the invention substantially as claimed in claim 23, further comprising: including in the file requesting that the client contact the load distribution server without intervention of user (col. 6, lines 38-67, col. 8, lines 58-65 – *a redirect command (i.e. file requesting) automatically sends to browser and instructs control network site (207) to process the command and sends it to network site (200, 202, 204).*

Buckland-Brendel-Gupta does not explicitly teach a means by which to allow the user of the client sufficient time to read and react to the file requesting that the user of the client contact the load distribution server.

However, **Subramaniam** teaches a redirect request sends from target server (104) through external client (112) to border server (106) and has conventional capabilities to automatically redirect client when a web site has moved/the URL for the

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web site has changed to another URL (col. 6, line 47-col. 7, line 58). It is obvious that the conventional redirect request/URL is used when a user experiences a redirect from one page to another by asking the user to click on a link or by means of automatic redirection. It may leave a page on server to notify user whoever access to that page that the name has changed or moved, thus, it has to give the user sufficient time to read and react with that notify.

Therefore, it were conventionally employed in the art to incorporate the feature of redirecting URL capability, as disclosed by **Subramaniam**, into system of **Buckland-Brendel-Gupta** because it would provide a system has capability to notify the redirecting/moving/changing of URLs for a web site thus the user can be notified and react to the change (i.e., update bookmark) if user desires to do so (see Subramaniam col. 7, lines 1-10 and also see REDIRECT dictionary definition at netlingo.com).

Conclusion

37. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

38. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Ha Nguyen, whose telephone number is (571) 272-3989. The examiner can normally be reached Monday through Friday from 8:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Najjar Saleh, can be reached at (571) 272-4006.

The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300 for regular communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ThuHa Nguyen
March 19, 2006


SALEH NAJJAR
SUPERVISORY PATENT EXAMINER